

REMARKS

Claims 1-7 and 9-15, including independent Claims 1, 10, and 14 remain in the application.

New Claims 16 and 17 have been added to the application.

Claims 1-4, 9-11, 14, and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 5,192,940 to *Yajima, et al.* in view of United States Patent No. 5,229,741 to *Black, III*.

Claims 5-7, 12, and 13 stand objected to.

Independent claim 1 has been amended to include the further limitation that the break-away element 26 provides access to the catch 34 "for releasing said catch from the casing."

Independent claim 9 has been amended to include the further limitation that at least one break-away element 26 provides access to at least one of the opposing catches 34 "for releasing opposing said opposing catches from the casing."

Regarding *Yajima, et al.*, the Examiner contends a connector 9 with a heat dissipater 7 are held by a housing 5. The Examiner further contends the housing 5 includes at least one catch 54 for fixedly attaching the assembly to a casing 19a as represented in Figure 11 and in column 6, line 38. The Examiner further contends the housing 5 includes at least one break-away element 58 for providing access to the catch as shown in Figure 12.

However, Applicant respectfully submits that *Yajima, et al.* fails to disclose a break-away element at all. Referring to column 6, lines 40 through 43, of the *Yajima, et al.* reference, "In this position, the flat resistor FR is fastened at its flanges 58, 58 to the bottom wall 19a with machine screws not shown." An aperture is identified in Figure 12 through flange 58, presumably for receipt of the fastener, which is not shown. Further, the resilient tongue catches 61 do not engage the casing. The resilient tongue catches 61 engage locking projections 53, 53 of the dissipater 7.

Therefore, *Yajima, et al.* teaches a housing 5 holding a dissipater 7, wherein the housing 5 is attachable to a casing 19a with machine screws. *Yajima, et al.* fails to teach opposing catches disposed upon a housing of a heat dissipating electrical resistor for fastening the housing to a casing in combination with a break-away element for providing access to at least one of the opposing catches releasing the catches from the casing as recited in independent Claims 1, 9, and 15.

Regarding *Black, III*, the Examiner contends an electrical resistor assembly having a seal disposed between an assembly 10 and a casing 18 provide an airtight seal. *Black, III* also fails to disclose a housing for fixing a heat dissipating electrical resistor to a casing having catches for fastening the housing to the casing and at least one break-away element for providing access to the catches for releasing the catch from the casing.

Therefore, Applicant respectfully submits that any combination of *Yajima, et al.* or *Black, III* fails to disclose each and every element recited in independent Claims 1, 9, and 14. Accordingly, Applicant submits that independent Claims 1, 9, and 14 are patentable over *Yajima, et al.* in view of *Black, III*. Because dependent Claims 2-7 depend from independent Claim 1, Claims 2-7 include each and every limitation set forth in Claim 1. Therefore, Applicant submits that dependent Claims 2-7 are in a position for allowance.

Because Claims 10-13 depend from independent Claim 9, dependent Claims 10-13 include each and every limitation set forth in Claim 9. Therefore, Applicant that submits dependent Claims 10-13 are also in a position for allowance.

Claim 15 depends from independent Claim 14 and therefore includes each and every limitation set forth in independent Claim 14. Therefore, Applicant submits that dependent Claim 15 is also in a position for allowance.

New independent Claims 16 and 17 have been added to the application. Independent Claims 16 and 17 include the further limitation set forth in dependent Claims 5 and 12 reciting

the seal is received by a groove disposed in the casing that traverses the break-away element. The Examiner indicated this combination of elements is considered allowable subject matter. Therefore, Applicant respectfully submits that independent Claims 16 and 17 are patentable over *Yajima, et al.* in view of *Black, III*.

The Applicant respectfully submits that this application is now in condition for allowance and early allowance is respectfully requested.

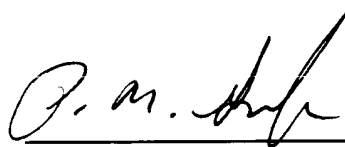
The Commissioner is authorized to charge our Deposit Account No. 50-0831 for any additional fees or credit the account for any overpayments regarding this Amendment.

Respectfully submitted,

DELPHI TECHNOLOGIES

Date

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Patrick M. Griffin

Registration No. 29,716

Delphi Technologies, Inc.

Legal Staff - Intellectual Property

M/C 480-410-202

P.O. Box 5052

Troy, MI 48007

(248) 813-1215